

Appl. No. 09/663,891
Amdt. dated June 5, 2006
Reply to office action of March 3, 2006

REMARKS

This is in response to the Office Action mailed on March 3, 2006. The Office Action rejected Applicant's Claims 1-6 and 8-9 as being obvious in view of the combination of US Pat. No. 5,845,067 ("Porter") and US Pat. No. 5,623,546 (Hardy), rejected Claims 10-22 and 24-38 as obvious in view of the combination of Porter and US Pat. No. 6,237,786 ("Ginter").

With this response, Applicant has amended Claims 1, 8, 10 and 24. Applicant respectfully requests the Examiner to reconsider the pending Claims of the present application in view of the following remarks. Applicant submits that all pending claims are in condition for allowance.

Independent Claim 1

Applicant's amended independent Claim 1 relates to a method for distribution of data products to end users. Claim 1 recites obtaining an encrypted first portion of the data product from the first location and obtaining an unencrypted second portion of the data product from the second location. Claim 1 also recites that the first portion of said data product comprises critical data that enables a program executed on a computing platform to use the data product including both the first portion and the second portion together for an intended purpose. Claim 1 is not obvious in view of the combination of Porter and Hardy because the combination fails to disclose or suggest the recited claim element of the encrypted first portion of the data product.

Briefly, Porter discloses a document management system that allows a document content to be accessed based upon the access permissions in a document profile. (*See*, Porter: Abstract). The document content contains the actual information of the document itself, and the document profile contains the title, author, date saved, access permissions and assorted other information. (*See*, Porter: column 1: lines 20-24). First, Porter does not disclose that the first portion of each of the data products is encrypted. Rather, neither the document content nor the document profile is encrypted. In fact, Porter teaches away from such encryption because its document management system implements security using access permissions of the document profile. In Porter, the system retrieves a security descriptor from the document profile that the user is trying to access and interprets the permissions to identify

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the level of access of each user and compares that access level to the user's token. Based on that comparison, the security allows or rejects access to the document content. (*See*, Porter: column 10: lines 50-57). Thus, Porter does not disclose or suggest the encrypted first portion and unencrypted second portion of the data product; rather, Porter teaches two unencrypted portions.

Additionally, Hardy fails to disclose an encrypted first portion and an unencrypted second portion of the data product. In contrast, Hardy discloses that the entire data product is encrypted (encrypted database 26 in Figure 3). Briefly, Hardy discloses a split key encryption system for allowing portable encrypted data to be accessed through multiple hosts. One split of the encryption key is stored in the portable device, and another split of the key is stored in the home host. The splits are combined with a password creating a password-modified key that is used to decrypt the encrypted data. (*See*, Hardy: column 1: lines 41-61). Applicant respectfully points out that although Hardy discloses a first portion and a second portion of an encryption/decryption key, Hardy does not disclose the first portion and second portion of the data product. Thus, Hardy does not disclose or suggest the encrypted first portion and unencrypted second portion of the data product.

For at least the above reasons, Claim 1 is not obvious in view of the combination of Porter and Hardy. Thus, independent Claim 1 is in condition for allowance.

Claim 8

Applicant's amended independent Claim 8 relates to a system for distribution of data products to end users. Claim 8 recites "a plurality of data distribution terminals at a plurality of locations different from said first location, each of said data distribution terminals has stored thereon copies of second portions of said plurality of data products." Claim 8 also recites that the end user is located at the location of one of the data distribution terminals. The combination of Porter and Hardy fails to disclose or suggest this amended claim element.

First, although the document profile and document content of Porter are stored separately, Porter fails to disclose that either the document profile or the document content is stored at the location of the user/client. Rather, both the document profile and the document content are stored at the document management system accessible by the user with the client device through a network. (*See*, Porter: Figures 1 & 3; column 1: lines 24-25, 57-66). Thus,

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Porter does not disclose or suggest that one of the portions of the data product is stored at the end user's location; rather, Porter discloses that both portions are stored at locations away from the end user.

Hardy fails to disclose the two separate portions of the data product at different locations. Hardy discloses the entire data product (database) being stored at a single location and fails to disclose the recited first portion of the data product at one location that is different from the location of the second portion of the data product at the location of the data distribution terminal. (*See*, Hardy: column 1: lines 41-61). Applicant respectfully points out that although Hardy discloses a first portion and a second portion of an encryption/decryption key, Hardy does not disclose the first portion and second portion of the data product, namely, the key is not equivalent to the data product.

For at least these reasons, Claim 8 is not obvious in view of the combination of Porter and Hardy. Thus, independent Claim 8 is in condition for allowance.

Claim 10

Applicant's amended independent Claim 10 relates to a system for conveying a data product. Claim 10 recites "a second entity maintaining the second portion of the data product at a second location" and "an end user of the data product is located at said second location." Claim 10 also recites the encrypted first portion of the data product and the unencrypted second portion. The combination of Porter, Hardy and Ginter fails to disclose or suggest these claim elements.

First, for similar reasons discussed above in conjunction with Claims 1 and 8, Porter and Hardy fail to disclose or suggest the above recited claim elements.

The office action relied on Ginter for disclosing a third party has the appropriate decryption key to gain access to the data product. (*See*, Office Action: page 7). Ginter fails to disclose or suggest the above recited claim elements of the two separate portions of the data product at different locations and the encrypted first portion and unencrypted second portion. Rather, Ginter discloses a repository for storing entire data products not the recited two portions at different locations. (*See*, Ginter: column 297: lines 55-56).

For at least these reasons, Claim 10 is not obvious in view of the combination of Porter, Hardy and Ginter. Thus, independent Claim 10 is in condition for allowance.

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Claim 24

Claim 24 recites an encrypted first portion of the data product, "an unencrypted second portion of the data product is maintained at said second entity" at the second location and "an end user of the data product is located at said second location." For similar reasons as discussed in conjunction with Claim 10, the combination of Porter, Hardy and Ginter fails to disclose or suggest these claim elements. Thus, independent Claim 24 is in condition for allowance.

Applicant's dependent Claims 2-6, 9, 11-23 and 25-39

Applicant's dependent Claims 2-6, 9, 11-23 and 25-39 are allowable at least for the reason that they depend upon allowable base claims. In addition, these claims include features that are not disclosed by the cited references.

Conclusion

With the present response, all the issues in the Office Action mailed March 3, 2006 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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